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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/507,926	04/15/2005	Shane Robert Crockett	0184-0162PUS1	6808

2292 7590 08/05/2010
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EXAMINER	
SALIARD, SHANNON S	

ART UNIT	PAPER NUMBER
3628	

NOTIFICATION DATE	DELIVERY MODE
08/05/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/507,926	CROCKETT ET AL.	
	Examiner	Art Unit	
	SHANNON S. SALIARD	3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 May 2010*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13 and 15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-13 and 15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Status of Claims

1. Applicant has amended claims 12 and 13. Claim 14 has been cancelled. No claims have been newly added. Thus, claims 1-13 and 15 remain pending and are presented for examination.

Response to Arguments

2. Applicant's arguments and amendments filed 27 May 2010, with respect to the rejections of claims 12, 13, and 15 under 35 U.S.C. 101, have been fully considered and are persuasive. Thus, the rejections of claims 12, 13, and 15 under 35 U.S.C. 101 have been withdrawn.

3. Applicant's arguments filed 27 May 2010 with respect to the rejections of claims 1, 12, and 13 under 35 U.S.C. 103 (a) have been fully considered but they are not persuasive.

4. Applicant argues, "The claimed invention operates in a mode which is agnostic of the type of data that is synchronized (it does not use query tables) and can operate on many types of business data that needs to be synchronized between nodes which creates a differentiator in relation to the amount and type of data that is synchronized....Gramman discloses a process of synchronizing calendar based data between a primary and secondary computer and utilizes query table to manage this process. There is a significant difference between the manner in which synchronization is manages in this citation in Gramman and the claimed invention." In response to

applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., how the synchronization occurs) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See In re Van Geuns, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

5. Applicant further argues, "Yu discloses a method of pushing or pulling catalogue information across multiple points of sale. It is primarily used for keeping local copies of the catalogue up to date. It does not attempt to deal with any issues in the travel industry of limited availability or pushing bookings and reservation data from multiple points of sale into the relevant systems....While there is an authentication process, this process allows the catalog server 8 to access data stored in the remote servers 6. In this way, changes to the remote servers 6 is reflected in the catalog server 8 is unrelated to enabling the first processing to make a purchase of at least one product." In response to applicant's argument that Yu is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, Yu is directed to synchronizing information in a first and second processing means (col 2, lines 51-63). Furthermore, Yu solves the same problem of authenticating of a user so that a user may purchase a product (col 2, lines 51-63). The Examiner also notes that claims directed to an apparatus must be distinguished from the prior art in terms of structure rather than

function, *In re Danly,* 263 F.2d 844, 847, 120 USPQ 528, 531 (CCPA 1959). A claim containing a "recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus" if the prior art apparatus teaches all the structural limitations of the claim. *Ex parte Masham,* 2 USPQ2d 1647 (Bd Pat. App. & Inter. 1987). Since, the structural limitations of claims 1, 12, and 13 are disclosed by Gramman and Yu as described in the rejections of claims 1, 12, and 13, the functional limitations in claims 1,1 2, and 13 do not distinguish the claimed apparatus from the prior art.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. **Claims 1-4, 8, 10, 11, and 15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Gramann, **III** et al [US 2001/0049613] in view of Sokel [US 2003/0177044] and Yu et al [US 6,970,840].

As to **claim 1**, Gramann, **III** et al discloses a system to facilitate bookings including:

at least one business centre, each said at least one business centre having at least one product available for booking (0022),wherein each said at least one business

centre includes a first processing means for receiving and making bookings of said at least one product from at least one agent or customer; and (0052)

at one or more predetermined periods of actions said first and second processing means are synchronized so that booking information in said first and second processing means is the same(0028; 0039; 0059).

a second processing means for receiving and making bookings of said at least one product from said at least one agent or customer or at least one other agent of customer (0011).

Gramann, III et al does not explicitly disclose a central data centre. However, Sokel et al does disclose: a central data centre (0007). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Gramann, III et al with Sokel et al. One of ordinary skill in the art would have been motivated to combine these features in order to provide a method for scheduling reservations comprises storing a site-based reservation on a primary database, storing a web-based reservation on a secondary database (Gramann, III et al, 0008), and automatically and periodically synchronizing the primary database with the secondary database (Sokel et al, 0006).

Gramann, III et al and Sokel et al do not further disclose said first processing means authenticated by said second processing means to enable said first processing means to make bookings of said at least one product from the at least one agent or customer. However, Yu et al teaches an improved system for accessing inventory (catalog products) which includes a first processing means authenticated by said

second processing means to enable said first processing means to make a purchase of at least one product from a customer (col 2, lines 51-63; col 3, line 62-col 4, line 6). It would have been obvious to one of ordinary skill in the art at the time of the invention to have enabled said first processing means to make bookings of a at least one product from at least one agent or customer by including the authentication software as in the improvement discussed in Yu et al in the system of Gramann, III et al. As in Yu et al, it is well within the capabilities of one of ordinary skill in the art to install the authentication software to Gramann, et al's personal computer communicating with the server with the predicted result of securely accessing inventory information as needed in Gramann, III et al.

As to **claim 2**, Gramann, III et al does not further disclose wherein synchronisation occurs after each booking. However, Sokel et al further discloses: synchronisation occurs after each booking (0008; 0023; Fig. 2). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Gramann, III et al with Sokel et al. One of ordinary skill in the art would have been motivated to combine these features in order to provide a method for scheduling reservations comprises storing a site-based reservation on a primary database, storing a web-based reservation on a secondary database (Gramann, III et al, 0008), and automatically and periodically synchronizing the primary database with the secondary database (Sokel et al, 0006).

As to **claim 3**, Gramann, III et al further discloses: an operator can initiate synchronization (0008; 0038-0039; 0049-0051; 0059).

As to **claim 4**, Gramann, III et al does not further disclose wherein said business centre offers accommodation. However, Sokel et al further discloses: said business centre offers accommodation (0030; 0032; claim 12). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Gramann, III et al with Sokel et al. One of ordinary skill in the art would have been motivated to combine these features in order to provide a method for scheduling reservations comprises storing a site-based reservation on a primary database, storing a web-based reservation on a secondary database (Gramann, III et al, 0008), and automatically and periodically synchronizing the primary database with the secondary database (Sokel et al, 0006).

As to **claim 8**, Gramann, III et al further discloses: said first processing means forwarding any said changed values to said second processing means, and said second processing means forwarding any said changed values to said first processing means (claim 24). Gramann, III et al does not explicitly disclose first and second processing means identifying any values that have changed since a previous synchronization. However, Sokel et al does disclose: first and second processing means identifying any values that have changed since a previous synchronization (0010; 0026; 0037). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Gramann, III et al with Sokel et al. One of ordinary skill in the art would have been motivated to combine these features in order to provide a method for scheduling reservations comprises storing a site-based reservation on a primary database, storing a web-based reservation on a secondary database (Gramann, III et

al, 0008), and automatically and periodically synchronizing the primary database with the secondary database (Sokel et al, 0006).

As to **claim 10**, Gramann, III et al does not further disclose wherein said first and second processing means both include a common user interface. However, Sokel et al further discloses: said first and second processing means both include a common user interface (0007; 0017; 0030; claim 4, 19). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Gramann, III et al with Sokel et al. One of ordinary skill in the art would have been motivated to combine these features in order to provide a method for scheduling reservations comprises storing a site-based reservation on a primary database, storing a web-based reservation on a secondary database (Gramann, III et al , 0008), and automatically and periodically synchronizing the primary database with the secondary database (Sokel et al, 0006).

As to **claim 11**, Gramann, III et al further discloses: modifications to booking conditions are made to said second processing means and then synchronized to said first processing means (0040; claim 11).

As to **claim 15**, Gramann, III et al further discloses: the first and second processing means are connectable to the internet (0011; 0022). Gramann, II et al does not explicitly disclose wherein synchronization occurs over the internet. However, Sokel et al does disclose: synchronization occurs over the internet (0008; 0010; 0030). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Gramann, III et al, with Sokel et al. One of ordinary skill in the art would have been motivated to combine these features in order to provide a method

for scheduling reservations comprises storing a site-based reservation on a primary database, storing a web-based reservation on a secondary database (Gramann, III et al, 0008), and automatically and periodically synchronizing the primary database with the secondary database (Sokel et al, 0006).

8. **Claims 5-7** are rejected under 35 U.S.C. 103(a) as being unpatentable over Gramann, III et al [US 2001/0049613] in view of Sokel et al [US 2003/0177044] and Yu et al [US 6,970,840] as applied to claim 4 above, and further in view of Stanfield [US 2002/0069093].

As to **claim 5**, Gramann, III et al, Sokel et al, and Yu et al disclose a system as claimed in claim 4. Gramann, III et al, Sokel et al, and Yu et al do not disclose said product included rooms available at said business centre. However, Stanfield does disclose: said product included rooms available at said business centre (0012; 0150; Fig. 1). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Gramann, III et al, Sokel et al, and Yu et al with Stanfield. One of ordinary skill in the art would have been motivated to combine these features in order to provide a method for scheduling reservations comprises storing a site-based reservation on a primary database, storing a web-based reservation on a secondary database (Gramann, III et al, 0008), and automatically and periodically synchronizing the primary database with the secondary database (Sokel et al, 0006), and provide an electronic reservation referral system and method that can use Internet

technology, not to replace traditional travel services, but to make them dynamic (Stanfield, 0004).

As to **claim 6**, Gramann, III et al, Sokel et al, and Yu et al disclose a system as claimed in claim 1. Gramann, III et al, Sokel et al, and Yu et al do not explicitly disclose said business centre is a tour operator. However, Stanfield does disclose: said business centre is a tour operator (0026). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Gramann, III et al, Sokel et al, and Yu et al with Stanfield. One of ordinary skill in the art would have been motivated to combine these features in order to provide a method for scheduling reservations comprises storing a site- based reservation on a primary database, storing a web-based reservation on a secondary database (Gramann, III et al, 0008), and automatically and periodically synchronizing the primary database with the secondary database (Sokel et al, 0006), and provide an electronic reservation referral system and method that can use Internet technology, not to replace traditional travel services, but to make them dynamic (Stanfield 0004).

As to **claim 7**, Gramann, III et al, Sokel, Yu et al, and Stanfield disclose a system as claimed in claim 6. Stanfield further discloses: said product includes tours available from said tour operator (0028; 0150). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Gramann, II et al, Sokel et al, and Yu et al with Stanfield. One of ordinary skill in the art would have been motivated to combine these features in order to provide a method for scheduling reservations comprises storing a site-based reservation on a primary database, storing

a web-based reservation on a secondary database (Gramann, III et al, 0008), and automatically and periodically synchronizing the primary database with the secondary database (Sokel et al, 0006), and provide an electronic reservation referral system and method that can use Internet technology, not to replace traditional travel services, but to make them dynamic (Stanfield, 0004).

9. **Claim 9** is rejected under 35 U.S.C. 103(a) as being unpatentable over Gramann, III et al [US 2001/0049613] in view of Sokel et al [US 2003/0177044] and Yu et al [US 6,970,840] as applied to claim 1 above, and further in view of Sprenger et al [US 2003/0040946].

As to **claim 9**, Gramann, III et al, Sokel et al, and Yu et al disclose a system as claimed in claim 1. Gramann, III et al, Sokel et al, and Yu et al do not explicitly disclose a dispute resolution system to alert a user to possible double bookings. However, Sprenger et al does disclose: a dispute resolution system to alert a user to possible double bookings (0240; 0245). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Gramann, III et al, Sokel et al, and Yu et al with Sprenger et al. One of ordinary skill in the art would have been motivated to combine these features in order to provide a method for scheduling reservations comprises storing a site-based reservation on a primary database, storing a web-based reservation on a secondary database (Gramann, III et al, 0008), and automatically and periodically synchronizing the primary database with the secondary

database (Sokel et al, 0006), and provide a system for a user to develop a travel plan (Sprenger et al, 0007).

10. **Claim 12** is rejected under 35 U.S.C. 103(a) as being unpatentable over Gramann, III et al [US 2001/0049613] in view of Sprenger et al [US 2003/0040946] and Yu et al [US 6,970,840].

As to **claim 12**, Gramann, **III** et al discloses a business centre booking system including:

a first processing means to receive and make bookings of at least one product available from said business centre (0011; claims 1,2, 24);

at a predetermined time said first processing means synchronises data with said external server via said communication means (0028; 0039; claim 9). Gramann, III et al does not explicitly disclose a communication means to receive bookings made via an external server of said at least one product. However, Sprenger et al does disclose: a communication means to receive bookings made via an external server of said at least one product (0088). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Gramann, **III** et al, with Sprenger et al. One of ordinary skill in the art would have been motivated to combine these features in order to provide a method for scheduling reservations comprises storing a site-based reservation on a primary database, storing a web-based reservation on a secondary database (Gramann, III et al, 0008), and provide a system for a user to develop a travel plan (Sprenger et al, 0007).

Gramann, III et al and Sprenger et al do not further disclose said first processing means authenticated by said second processing means to enable said first processing means to make bookings of said at least one product from the at least one agent or customer. However, Yu et al teaches an improved system for accessing inventory (catalog products) which includes a first processing means authenticated by said second processing means to enable said first processing means to make a purchase of at least one product from a customer (col 2, lines 51-63; col 3, line 62-col 4, line 6). It would have been obvious to one of ordinary skill in the art at the time of the invention to have enabled said first processing means to make bookings of a at least one product from at least one agent or customer by including the authentication software as in the improvement discussed in Yu et al in the system of Gramann, III et al. As in Yu et al, it is well within the capabilities of one of ordinary skill in the art to install the authentication software to Gramann, et al's personal computer communicating with the server with the predicted result of securely accessing inventory information as needed in Gramann, III et al.

11. **Claim 13** is rejected under 35 U.S.C. 103(a) as being unpatentable over Gramann, III et al [US 2001/0049613] in view of Yu et al [US 6,970,840].

As to **claim 13**, Gramann, **III** et al discloses a synchronized booking system including:

a second processing means for receiving and making bookings of at least one product available from at least one business centre (0022; 0029; Fig. 2);

a communication means to enable said bookings to be synchronised with a first processing means of said at least one business centre (0012; 0022-0024; 0026; 0050 0069).

Gramann, III et al does not further disclose said first processing means authenticated by said second processing means to enable said first processing means to make bookings of said at least one product from the at least one agent or customer. However, Yu et al teaches an improved system for accessing inventory (catalog products) which includes a first processing means authenticated by said second processing means to enable said first processing means to make a purchase of at least one product from a customer (col 2, lines 51-63; col 3, line 62-col 4, line 6). It would have been obvious to one of ordinary skill in the art at the time of the invention to have enabled said first processing means to make bookings of a at least one product from at least one agent or customer by including the authentication software as in the improvement discussed in Yu et al in the system of Gramann, III et al. As in Yu et al, it is well within the capabilities of one of ordinary skill in the art to install the authentication software to Gramann, et al's personal computer communicating with the server with the predicted result of securely accessing inventory information as needed in Gramann, III et al.

Conclusion

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHANNON S. SALIARD whose telephone number is (571)272-5587. The examiner can normally be reached on Monday - Friday, 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Hand delivered responses should be brought to the Customer Service Window, Randolph Building, 401 Dulany Street, Alexandria, VA 22314

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